

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)	NO. 1:16-CR-82
)	
v.)	(Judge Kane)
)	
(3) SCOTT LANE, a.k.a. "NYC Perv,")	
(6) BRUCE EDGEcombe, a.k.a., ":",)	
(8) WILLIAM STAPLES, a.k.a., "Bill)	
Simpson," and)	
(10) DYLAN HEATHERLY, a.k.a.,)	
"Daniel Sotherland,")	
)	(Electronically Filed)
Defendants.)	

GOVERNMENT'S PROPOSED JUROR QUESTIONNAIRE

The United States of America, by and through its counsel of record, the United States Attorney for the Middle District of Pennsylvania, hereby files its Proposed Jury Questionnaire.

The government respectfully requests that the Court order a double or triple jury panel for jury selection, due to the likelihood of juror attrition during voir dire based on the nature of the charges in this case, which involve the sexual abuse of children. The government also requests that the jurors be given the attached questionnaire in advance, in order to expedite voir dire and jury selection.

Dated: August 29, 2017

Respectfully submitted,

BRUCE D. BRANDLER
United States Attorney

/s/
MEREDITH TAYLOR
Assistant United States Attorney

/s/
AUSTIN M. BERRY
Trial Attorney

Attorneys for the United States of America

UNITED STATES v. SCOTT LANE, BRUCE EDGECOMBE,
DYLAN HEATHERLY, and WILLIAM STAPLES
CR 16-082

JUROR NO. _____

You are being asked to fill out a short questionnaire to help the judge and the lawyers for both sides choose the fairest possible jury for this case.

As you fill out the questionnaire, please remember that you are under an oath to tell the truth, just as you would be if you were answering the judge's questions in the courtroom. Any information you provide will be kept confidential by the lawyers and the Court. As is its practice, the Court will use only juror numbers, rather than names, on the questionnaires, during jury selection, and during the case. Accordingly, please only indicate your juror number rather than your name. Finally, for certain questions, you have the option of checking a box indicating that you would prefer not to state your answer in front of the rest of the jury pool.

The prosecution and the defense are both deserving of the fairest possible jury to hear this case. Your cooperation in providing honest answers during this process is important. Thank you.

General

1. Juror Number:
2. What is your age?
3. What is your gender? MALE ____ FEMALE ____
4. What city do you live in? _____
5. Do you have children and/or grandchildren?

YES ____ NO ____

- a. If so, please provide their age(s) and gender(s), but not their names.

6. What is your occupation? _____
7. Are you married? _____
8. If so, what is your spouse's occupation? _____
9. Have you or any family member ever held a job with any federal, state, or local law

enforcement agency?

YES ____ NO ____

- a. If yes, please describe who held the position, the agency, and the time period the position was held.

b. Is there anything about that experience that would affect your ability to be fair and objective toward either the government or the defendant in your consideration of the evidence in this case?

10. Have you ever served on a jury in either federal or state court?

YES ____ NO ____

If yes, what kind of case? _____

If yes, did you reach a verdict? YES ____ NO ____

11. Have you, your family members, or close friends had any experience with a government agency that would cause you to be biased for or against the government? In particular, this case was investigated, in part, by the United States Department of Homeland Security Investigations, and you may hear testimony from members of that agency. Does any prospective juror have any particular concern or problem with this agency or any other?

YES ____ NO ____

If yes, please explain:

12. Do you have any negative feelings towards law enforcement or the United States government?

YES ____

NO ____

Computers & Internet Activity

13. Do you have any training in the field of computers, or specialized knowledge of computers, the Internet, computer programming, networking, etc.?

YES ____ NO ____

If yes, please explain:

14. On a scale of 1 to 5 (with 5 being the most comfortable and 1 being the least), how would you rate your comfort level in understanding computer-related evidence and testimony?

Physical and Sexual Abuse

15. Have you ever been sexually abused?

YES ____ NO ____

☐ I would prefer to state my answer outside the presence of the other potential jurors.

16. Has any family member or close friend ever been sexually abused?

YES ____ NO ____

☐ I would prefer to state my answer outside the presence of the other potential jurors.

17. Have you, any family member, or close friend ever been accused of physically or sexually abusing anyone, including a child?

YES ____ NO ____

☐ I would prefer to state my answer outside the presence of the other potential jurors.

18. Have you ever known anyone who was falsely accused of sexual abuse?

YES _____ NO _____

☐ I would prefer to state my answer outside the presence of the other potential jurors.

19. Have you ever known anyone who made a false accusation of sexual abuse?

YES _____ NO _____

☐ I would prefer to state my answer outside the presence of the other potential jurors.

20. Have you ever been called as a witness in any kind of court proceeding relating to a sexual abuse?

YES _____ NO _____

☐ I would prefer to state my answer outside the presence of the other potential jurors.

21. Have you had any contact with police officers, social workers, or court personnel regarding sexual abuse?

YES _____ NO _____

☐ I would prefer to state my answer outside the presence of the other potential jurors.

22. If you answered "Yes" to any of questions 15-21 above, is there anything about your experience that would affect your ability to be fair and objective toward both the government and the defendant in your consideration of the evidence in this case?

YES _____ NO _____

If yes, please explain:

Personal History

23. Have you, any family member or close friend ever been required to register as a sex offender or to seek treatment for any sex-related conduct?

YES _____ NO _____

☐ I would prefer to state my answer outside the presence of the other potential jurors.

24. The Indictment in this case charges that the defendants engaged in video conference communications over the internet from different locations around the country in an effort to see child pornography over the internet. Under federal law, it is a crime to intentionally seek child pornography. Is there anything about those laws that you find upsetting or troubling in any way?

YES _____ NO _____

☐ I would prefer to state my answer outside the presence of the other potential jurors.

Opinions and Beliefs

25. Do you disagree with the law that states, despite what a minor says or what actions he or she takes, a minor can never be deemed to have consented to any sexual activity with an adult?

YES ____ NO ____

☐ I would prefer to state my answer outside the presence of the other potential jurors.

26. Do any of you have difficulty believing that a child victim of sexual exploitation could be persuaded, enticed or coerced into engaging in sexually explicit conduct without the use of force or threats?

YES ____ NO ____

☐ I would prefer to state my answer outside the presence of the other potential jurors.

27. Do you believe that production of child pornography should be legalized in some or all circumstances?

YES ____ NO ____

☐ I would prefer to state my answer outside the presence of the other potential jurors.

a. Does your answer depend on the age of the minor?

YES ____ NO ____

b. Do you believe that if a minor boy or girl consents to pose for child pornography with an adult, this should be allowed?

YES ____ NO ____

28. Some people have the mistaken belief that producing, transporting, distributing, receiving, or possessing child pornography, including by computer, is an activity that is protected by the First Amendment to our Constitution, or may otherwise be a constitutionally protected activity. Congress has passed laws which make it a criminal offense to produce, transport, distribute, receive, or possess child pornography, and such activity is not protected by the First Amendment or by any other Constitutional right.

a. Do you believe that such activity should be protected by the First Amendment to the United States Constitution as free speech, or by any other provision of the Constitution?

YES _____ NO _____

b. Would you have any difficulty abiding by the Court's instruction to you that such activity is not—as a matter of law—protected by the First Amendment to the United States Constitution or by another provision of the Constitution?

YES _____ NO _____

Authority of the United States

29. Do you, or does anyone close to you, hold any belief that the United States has no authority over its citizens such that you could not sit as a fair and impartial juror in this case?

YES ____ NO ____

30. Do you believe it is inappropriate for law enforcement to engage in undercover activity in an attempt to identify internet users who access child pornography?

YES ____ NO ____

Punishment & Sympathy

31. Do you hold any philosophical, moral or religious belief which would make it difficult to sit in judgment on another human being?

YES ____ NO ____

32. The potential punishment for the offense charged in the indictment is a matter that should never be considered by the jury in any way in arriving at an impartial verdict as to the guilt or innocence of the accused. Can you put aside concerns about potential punishment in arriving at a fair and impartial verdict in this case?

YES ____ NO ____

33. If the court instructs you that your verdict must not be based on sympathy, passion, or prejudice, but only on the evidence in this case, will you be able to follow that instruction?

YES ____ NO ____

34. Irrespective of your personal feelings about any issue that may arise in this case, will you follow the law as the Court gives it to you during this case?

YES ____ NO ____

35. The evidence in this case may include images that are distasteful, offensive, and unpleasant to view. However, the prospect of having to see distasteful, offensive or unpleasant

evidence is not a basis to avoid the responsibility of jury service. Many cases, both criminal and civil, involve unpleasant things. If we excused prospective jurors on the ground that jury duty makes demands -- including some unpleasant demands -- then we could not function. Moreover, the parties have the right to expect that prospective jurors will not seek to avoid jury service simply because they would rather not serve, or because they would like to avoid some unpleasantness.

In light of that, are there compelling reasons why you believe that you could not be an impartial juror -- that is to consider all of the evidence and follow the law -- because images that are distasteful, offensive and unpleasant to view will be presented as evidence in the trial?

YES ____

NO ____

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)	NO. 1:16-CR-82
)	
v.)	(Judge Kane)
)	
(3) SCOTT LANE, a.k.a. "NYC Perv,")	
(6) BRUCE EDGEcombe, a.k.a., ":",)	
(8) WILLIAM STAPLES, a.k.a., "Bill)	
Simpson," and)	
(10) DYLAN HEATHERLY, a.k.a.,)	
"Daniel Sotherland,")	
)	(Electronically Filed)
Defendants.)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

That this 29th day of August 2017, she served a copy of the attached

GOVERNMENT'S PROPOSED JUROR QUESTIONNAIRE

by electronic means by sending a copy to the e-mail addressees stated below:

Gerald A. Lord

Lord Law, LLC
45 N. Queen St., York, PA 17403
Phone: (717) 850-2274
Fax: (717) 850-2911
glordlaw.com
Counsel for Defendant Scott Lane

Ann E. Ariano

Law Offices of Ann E. Ariano
6121 Chatham Court
Harrisburg, PA 17111
Phone: 717-564-6955
ariano@paonline.com
Counsel for Defendant Bruce Edgecombe

Jason Asbell

Gibbel Kraybill & Hess LLP

2933 Lititz Pike

PO Box 5349

Lancaster, PA 17606

Phone 717-291-1700

Fax 717-291-5547

jasbell@gkh.com

Counsel for Defendant William Staples

Robert J. Daniels

Killian & Gephart, LLP

218 Pine Street

Harrisburg, PA 17101

Phone: 717-232-1851

Fax: 717-238-0592

rdaniels@killiangephart.com

Counsel for Defendant Dylan Heatherly

/s/ Meredith A. Taylor

Meredith A. Taylor

Legal Assistant